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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,288	09/17/2003	L. Mercer McKinley	101896-206 (DEP5129)	4546
21125 7590 01/28/2008 NUTTER MCCLENNEN & FISH LLP WORLD TRADE CENTER WEST 155 SEAPORT BOULEVARD BOSTON, MA 02210-2604			EXAMINER ARAJ, MICHAEL J	
			ART UNIT 3733	PAPER NUMBER
			NOTIFICATION DATE 01/28/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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docket@nutter.com

## Interview Summary

Application No.

10/664,288

Applicant(s)

MCKINLEY, L. MERCER

Examiner

Michael J. Araj

Art Unit

3733

All participants (applicant, applicant's representative, PTO personnel):

(1) Michael J. Araj.

(3) \_\_\_\_\_

(2) Lisa Adams.

(4) \_\_\_\_\_

Date of Interview: 14 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 1 and 12.

Identification of prior art discussed: Hayes et al. (U.S. Patent No. 5,020,519).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's attorney sent over proposed amendments on December 21, 2007. The only substantial amendments made was changing "a distal portion" to 'a U-shaped distal portion'. Examiner stated that these amendments did not overcome the prior art of Hayes. It can be seen in Figure 4, that the distal portion of the implant gripping member is u-shaped from a side profile, which therefore does not overcome Hayes et al.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
S. J. ARAJ  
PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required